

REMARKS

Applicants respectfully request reconsideration of the present application in view of the reasons that follow.

No claims are currently being amended.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1-45 remain pending in this application.

Allowable subject matter

Applicants appreciate the indication that claims 24-27 contain allowable subject matter.

Rejection under 35 U.S.C. § 102

Claims 1-23 and 28-45 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,281,797 to Yamaguchi et al. (hereinafter “Yamaguchi”). Applicants respectfully traverse this rejection at least because Yamaguchi is not prior art to the instant application.

The instant application is a national stage application based on international application PCT/JP2003/012203, which has a filing date of September 25, 2003, which claims priority to three Japanese applications. The date of entry into the national stage for the instant application is February 2, 2006. Thus, while the date of entry into the national stage for the present application is February 2, 2006, the filing date is September 25, 2003 (See MPEP 1893.03(b)).

Yamaguchi has a filing date of June 20, 2005, which is after the filing date of September 25, 2003 of the instant application. Thus, Yamaguchi is not prior art to the

instant application under 35 U.S.C. § 102(e). Accordingly, the rejection under 35 U.S.C. § 102(e) based on Yamaguchi must fail.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date August 14, 2007

By Thomas G. Bilodeau

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6162
Facsimile: (202) 672-5399

Pavan K. Agarwal
Attorney for Applicant
Registration No. 40,888

Thomas G. Bilodeau
Attorney for Applicant
Registration No. 43,438